

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JULIET D'SOUZA,

Plaintiff,

Case No. 09-CV-410 (TCP)(ARL)

ANSWER

-against-

ZEENA LOBO and NEIL LOBO,

Defendant.

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Defendants, ZEENA LOBO and NEIL LOBO ("defendants"), by their attorney, WILLIAM D. WEXLER, ESQ., respectfully submit this Answer to plaintiff's Complaint ("Complaint") in the above-captioned action as follows:

1. Defendants deny the allegations set forth in paragraphs "1", "2", "3", "4". "5", "20", "21", "24" and "25" of the Complaint.

2. Defendants deny knowledge and information sufficient to form a belief as to the truth of the allegations set forth in paragraphs "7", "8", "22", "23", "26", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55", "56", "57", "58", "57", "58", "59", "60", "61", "62", "63", "64", "65", "66", "67", "69", "70", "71", "72", "73", "74", "75", "76", "77", "78", "79", "80", "81", "82", "83", "84", "85", "86", "87", "88", "89", "90", "91", "92", "93", "94", "95", "96", "97", "98", "99", "100", "101", "102", "103", "104", "105", "106", "107", "108", "109", "110", "111", "112", "113", "114", "115", "116" and "117" of the Complaint.

AFFIRMATIVE DEFENSES

Defendants assert that they bears the burden of proof only on those matters set forth as affirmative defenses in Rule 8(c) of the Federal Rules of Civil Procedure. Defendants set forth thier affirmative defenses to plaintiff's claims as follows:

AS AND FOR A FIRST DEFENSE

The complaint fails to state a claim upon which relief may be granted or upon which the damages sought can be awarded.

AS AND FOR A SECOND DEFENSE

At all times relevant hereto, defendants acted in good faith and have not violated any rights which may be secured by plaintiff under any applicable federal, state or local law, rule, regulation or guideline.

AS AND FOR A THIRD DEFENSE

Defendants have complied with all federal and state labor standards.

AS AND FOR A FOURTH DEFENSE

Defendants have complied with all New York State minimum wage laws.

AS AND FOR A FIFTH DEFENSE

Defendants have complied with all New York State overtime laws.

AS AND FOR A SIXTH DEFENSE

Defendants have complied with all New York State spread of hours laws.

Dated: North Babylon, New York
March 6, 2009

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